

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

TRANQUILINO CANDIA,  
*on behalf of himself, FLSA Collective Plaintiffs, and  
the Class,*

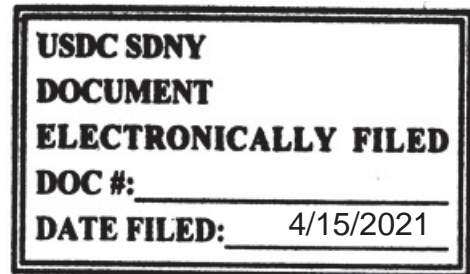
Plaintiff,

v.

DIMI GYRO LLC d/b/a CHIRPING CHICKEN,  
PANATHA CHICKEN LLC d/b/a CHIRPING  
CHICKEN, BARUCH CHICKEN LLC d/b/a  
CHIRPING CHICKEN, 81 STREET CHICKEN  
CORP d/b/a CHIRPING CHICKEN, DEMETRIS  
PAPAS, and MICHALIS KOKKINOS,

Defendants.

Case No.: 1:18-cv-7627-RWL



**~~PROPOSED~~ ORDER AND JUDGMENT**

WHEREAS, on March 25, 2021, Plaintiff Tranquilino Candia (“Plaintiff”) moved to enforce the Settlement Agreement and Release (“Settlement Agreement”) in this action (the “Motion”);

WHEREAS, the Court has considered all arguments made in support of the Motion and in opposition;

WHEREAS, the Court finds that Defendants have breached the Settlement Agreement and have failed to cure within the required time period;

It is hereby ORDERED that:

1. Judgment shall be entered against Defendants;

2. Defendants shall pay Plaintiff the amount of \$18,524.52, inclusive of pre-judgment interest at the rate of 9%, pursuant to the Settlement Agreement, within five (5) calendar days of the entry of this Order;

3. Defendants shall provide the documents required by the Settlement Agreement, specifically (i) an executed Confession of Judgment and (ii) copies of Michalis Kokkinos's passport, driver's license, and society security card;

4. Defendants shall pay Plaintiff's counsel \$2,150 in attorneys' fees incurred in connection with the enforcement of the Settlement Agreement within five (5) calendar days of the entry of this Order;

5. The Clerk of the Court shall enter the attached judgment on the Court's docket; and

6. Pursuant to New York Labor Law Section 198(4), if any amounts remain unpaid upon the expiration of ninety (90) days following issuance of judgment, the total amount of the judgment shall automatically increase by fifteen (15%) percent.

ACCORDINGLY, it is hereby adjudged that Plaintiff is granted judgment for (1) \$18,375 plus pre-judgment interest at the rate of 9%, totaling \$18,524.52; and (2) attorneys' fees in the amount of \$2,150.

It is so ORDERED this 15<sup>th</sup> day of April, 2021.



---

The Honorable Robert W. Lehrburger  
United States Magistrate Judge